

ORDINANCE NO. 70-17**AN ORDINANCE AMENDING DESIGNATED PROVISIONS OF CHAPTER 2,  
ARTICLE V OF THE FORT SMITH MUNICIPAL CODE CONCERNING THE CITY  
ADMINISTRATOR'S PURCHASING AUTHORITY AND CONCERNING THE  
PROCEDURE BY WHICH WRITTEN QUOTES OR BIDS ARE SUBMITTED**

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**BE IT ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE  
CITY OF FORT SMITH, ARKANSAS, THAT:**

**SECTION 1:** Chapter 2, Article V, Section 2-182(b)(3), (b)(4), (b)(5), and (b)(6) of the Fort Smith Municipal Code is hereby amended to read as follows:

(b) The following procedures shall apply to purchases of or contracts for any supplies, materials or equipment for the various offices, departments and agencies of city government (purchases) or for the construction of municipal improvements (contracts):

(3) All purchases where the expenditure therefor is seven thousand five hundred dollars (\$7,500.00) or more, but less than seventy-five thousand dollars (\$75,000.00) may be made by the city administrator, or designated representative, after the securing of three (3) or more written competitive quotes, if possible. Said written quotes must be submitted via the city's vendor self service system. If three (3) written competitive quotes are not obtained, the purchase request form must show the names of at least three (3) suppliers contacted in attempting to obtain competition or note the reason three (3) suppliers were not contacted.

(4) All purchases where the expenditure is seventy-five thousand dollars (\$75,000.00) or more may be made after the securing of competitive written bids and with the approval of the bid by the city administrator and board of directors. Said written bids must be submitted via the city's vendor self service system.

(5) All contracts where the expenditure therefor is seven thousand five hundred dollars (\$7,500.00) but less than thirty-five thousand dollars (\$35,000.00) may be made by the city administrator, or his designated representative, after the securing of three (3) or more written bids. Said written bids must be submitted via the city's vendor self service system. If three (3) written bids are not obtained, the purchase request form must show the names of at least three (3) firms contacted in attempting to obtain competition or note the reason three (3) firms were not contacted.

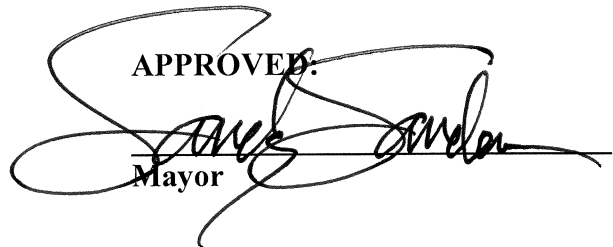
(6) All contracts where the expenditure is thirty-five thousand dollars (\$35,000.00) or more may be made with the approval of the board of directors after securing of competitive bids. Said bids must be submitted via the city's vendor self service system.


**SECTION 2:** Chapter 2, Article V, Section 2-183(c) of the Fort Smith Municipal Code is hereby amended to read as follows:

(c) Where the amount of any expenditure for the construction of municipal improvements is thirty-five thousand dollars (\$35,000.00) or more, the city administrator or designated representative shall invite competitive bidding thereon by legal advertisement published one (1) time in a daily local newspaper. Bids must be submitted via the city's vendor self service system. Bids received pursuant to such advertisement shall be opened not less than fifteen (15) days including the date of invitation to bid. The bidding procedure as set forth in this and other provisions of the city shall not be exclusive of other state-mandated bidding procedures.

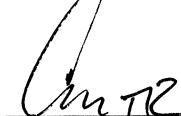
**SECTION 3: Emergency Clause.** It is hereby determined that the above provisions are necessary: to make more efficient the manner by which the City of Fort Smith receives and processes written bids; to reflect the amendment by the Arkansas General Assembly of the statutory requirements regarding award procedures of public improvements; and, in recognition of normal inflation and other factors contributing to rising costs and realizing the City of Fort Smith often needs to respond to purchasing needs in an expedited fashion through authority provided to the City Administrator. Therefore, the Board of Directors determines that there is an immediate need for the effectiveness of these proposed Code changes and an emergency is declared to exist. This Ordinance will be in full force and effect from this date.

PASSED AND APPROVED this 5<sup>th</sup> day of December, 2017.

APPROVED:  
  
Mayor

ATTEST:  
  
City Clerk

Approved as to form:

  
Publish 1 Time